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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,907	04/12/2004	Stephan Kleppner	R.305819	2434
RONALD E. G	7590 06/12/2007 RFIGG	EXAMINER		
GREIGG & GREIGG P.L.L.C. Suite One 1423 Powhatan Street Alexandria, VA 22314			RODRIGUEZ, WILLIAM H	
			ART UNIT	PAPER NUMBER
			3746	
			MAIL DATE	DELIVERY MODE
			06/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)					
	10/821,907	KLEPPNER ET AL.					
Office Action Summary	Examiner	Art Unit					
	/William H. Rodríguez/	3746					
The MAILING DATE of this communication of Period for Reply	appears on the cover sheet with	the correspondence address					
A SHORTENED STATUTORY PERIOD FOR REWHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory per - Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the material patent term adjustment. See 37 CFR 1.704(b).	B DATE OF THIS COMMUNICA R 1.136(a). In no event, however, may a rep riod will apply and will expire SIX (6) MONTH atute, cause the application to become ABAI	ATION. ly be timely filed HS from the mailing date of this communication. NDONED (35 U.S.C. § 133).					
Status	•						
1) Responsive to communication(s) filed on 25	5 April 2007.						
2a)⊠ This action is FINAL . 2b)□ T	This action is FINAL . 2b) ☐ This action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
4) ☐ Claim(s) 1-8 and 10-12 is/are pending in the 4a) Of the above claim(s) is/are without 5) ☐ Claim(s) 1-8,10 and 11 is/are allowed. 6) ☐ Claim(s) 12 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and	drawn from consideration.						
Application Papers							
9)☐ The specification is objected to by the Exam	9) The specification is objected to by the Examiner:						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to t	* * * *	7 7					
Replacement drawing sheet(s) including the corn 11) The oath or declaration is objected to by the	= : :	•					
Priority under 35 U.S.C. § 119	ZAGILIII ON PROCESSION OF STREET	511100710110111011111111111111111111111					
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the p application from the International Burn * See the attached detailed Office action for a line	ents have been received. ents have been received in Appriority documents have been re reau (PCT Rule 17.2(a)).	plication No eceived in this National Stage					
Attachment(s)							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date		mmary (PTO-413) Mail Date ormal Patent Application .					

U.S. Patent and Trademark Office PTOL-326 (Rev. 08-06)

FINAL REJECTION

This office action is in response to the amendment and remarks filed 04/25/2007.

Response to Arguments

1. Applicant's arguments filed 04/25/2007 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., prevent the reverse flow of fuel from the pan side to the saddle side --see page 8 third paragraph of arguments) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

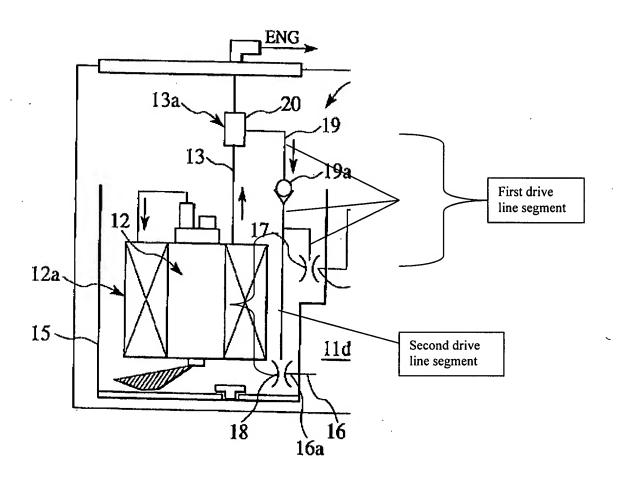
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by **Tanimura (US 2003/0062031).**

Tanimura teaches an apparatus for delivering fuel from a tank to an internal combustion engine of a motor vehicle, comprising: a reservoir 15 located in the tank 11, a fuel supply pump 12, at least two vertical suction jet pumps (17, 18) connected to a drive line 19, the drive line of the jet pumps connected to a pressure line 13 downstream of the fuel supply pump, one of said at

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least two jet pumps connected to a pan region and the other to a saddle region of the tank containing the reservoir, said drive line comprises a first segment leading to the jet pump 17 and a second drive line segment leading to the other jet pump 18, wherein said at least one check valve 19a is provided in the first drive line segment. See particularly Figure 1 below.



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Allowable Subject Matter

4. Claims 1-8, 10 and 11 are allowed.

With respect to claim 1, the following is an examiner's statement of reasons for allowance: the prior art of record neither discloses nor makes obvious the combination set forth in the independent claims, and especially does not show "a pressure-regulating valve maintaining a constant pressure in the pressure line and a throttle in the drive line between the at least one check valve or siphon and said pressure-regulating valve", in combination with the other claim limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

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date of this final action.

Contact information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to William H. Rodríguez whose telephone number is 571-272-4831.

The examiner can normally be reached on Monday-Friday 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William H. Rodríguez/ Primary Examiner

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